



The State of Utah

Department of
Natural Resources

Division of
Oil, Gas & Mining

ROBERT L. MORGAN
Executive Director

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

Representatives Present During the Inspection:

| | | |
|---------|--------------------|-----------------------------|
| OGM | Joe Helfrich | Environmental Scientist III |
| Company | Patrick D. Collins | Resident Agent |

Inspection Report

| | |
|------------------|-------------------------------|
| Permit Number: | C0070012 |
| Inspection Type: | COMPLETE |
| Inspection Date: | Wednesday, September 22, 2004 |
| Start Date/Time: | 9/22/2004 9:00:00 AM |
| End Date/Time: | 9/22/2004 2:00:00 PM |
| Last Inspection: | Monday, August 30, 2004 |

Inspector: Joe Helfrich, Environmental Scientist III

Weather: sunny breezy 75

InspectionID Report Number: 413

Accepted by: whedberg

11/2/2004

Permitee: **NEVADA ELECTRIC INVESTMENT CO**

Operator: **NEVADA ELECTRIC INVESTMENT CO**

Site: **WELLINGTON PREPARATION PLANT**

Address: **330 E 400 S STE 6, PO BOX 337 SPRINGVILLE UT 84663**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

| | |
|----------|------------------------|
| 1,573.50 | Total Permitted |
| 392.00 | Total Disturbed |
| | Phase I |
| | Phase II |
| | Phase III |

Mineral Ownership

- ☐ Federal
☐ State
☐ County
☐ Fee
☐ Other

Types of Operations

- ☐ Underground
☐ Surface
☐ Loadout
☒ Processing
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The purpose of this site visit was to conduct a complete inspection of the Wellington facility.

Inspector's Signature

Joe Helfrich

Joe Helfrich, Environmental Scientist III

Inspector ID Number: 1

Date

Friday, September 24, 2004

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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Inspection Continuation Sheet

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REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

| | Evaluated | Not Applicable | Comment | Enforcement |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 1. Permits, Change, Transfer, Renewal, Sale | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Signs and Markers | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Topsoil | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.a Hydrologic Balance: Diversions | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.b Hydrologic Balance: Sediment Ponds and Impoundments | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.c Hydrologic Balance: Other Sediment Control Measures | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.d Hydrologic Balance: Water Monitoring | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.e Hydrologic Balance: Effluent Limitations | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Explosives | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Disposal of Excess Spoil, Fills, Benches | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Coal Mine Waste, Refuse Piles, Impoundments | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Noncoal Waste | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Protection of Fish, Wildlife and Related Environmental Issues | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Slides and Other Damage | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Contemporaneous Reclamation | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Backfilling And Grading | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Revegetation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Subsidence Control | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Cessation of Operations | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16.a Roads: Construction, Maintenance, Surfacing | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16.b Roads: Drainage Controls | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. Other Transportation Facilities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. Support Facilities, Utility Installations | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. AVS Check | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. Air Quality Permit | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 21. Bonding and Insurance | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. Other | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

1. Permits, Change, Transfer, Renewal, Sale

The current DOGM permit term is 10 Dec 99 through 9 Dec 04. The current UPDES permit term is 1 May 03 - 30 Apr 08. The permit renewal is scheduled for December 10, 2004. The permittee is preparing an ownership and control update for the renewal.

2. Signs and Markers

Signs were inspected and found to be legible containing the required information. Markers were easily identified.

3. Topsoil

The topsoil pile located on the east side of the property was evaluated; the vegetative cover was adequate to provide protection from wind and water erosion, no signs of instability were noted.

4.a Hydrologic Balance: Diversions

Diversions were inspected and found to be functioning as designed. Minor maintenance and repairs consisting of straw bale and silt fence replacement have been implemented during the 3rd quarter.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Sediment Pond inspections were conducted on 6 June 04 for the second quarter of 2004. Ponds include the Roadside, Auxillary, Dryer, Loadout, Pipeline, Upper Refuse, Lower Refuse, and Clearwater Ponds. Paperwork was available.

4.c Hydrologic Balance: Other Sediment Control Measures

Silt fencing and strawbales were checked and found to be functioning as designed. Additions and repairs have been implemented as necessary.

4.d Hydrologic Balance: Water Monitoring

The 2nd quarter water monitoring data was collected on 27 May 04 and submitted electronically to the Division database.

4.e Hydrologic Balance: Effluent Limitations

No discharges were noted in the 2nd quarter of 2004. Data for the 2nd quarter was submitted in hard copy to DWQ and electronically to the Division database. DMR's were current through August 2004.

7. Coal Mine Waste, Refuse Piles, Impoundments

Refuse Piles were inspected on 7 June 04 for the 2nd quarter of 2004. For added dust suppression, the operator smoothed out rough edges and significantly reduced the slopes on the coal fines piles located on the east side of the property. The slopes have been reduced to the point a water truck can now access the piles to apply a surfactant if necessary. No signs of instability were noted. Photos of the slope reduction are available in the M: drive under the April and May inspection dates.

8. Noncoal Waste

The equipment and buildings have been removed from the east side of the property. The broken concrete will be disposed of on site in a pit adjacent to the hillside. The area will be contoured to match the adjacent topography.

11. Contemporaneous Reclamation

With the exception of the concrete burial, no other reclamation activities have been conducted.

16.a Roads: Construction, Maintenance, Surfacing

Road drainage controls were inspected and found to be functioning as designed.

20. Air Quality Permit

An air quality permit was initially issued 10 May 96. A copy of the permit is on site and available for review.

21. Bonding and Insurance

A copy of the current bond insurance was available to review; the bonded value is \$4.904 million. A copy of the liability insurance was also available; term is 9 Feb 04 - 9 Feb 05.